

AMENDED IN SENATE SEPTEMBER 1, 1995

AMENDED IN SENATE JULY 20, 1995

AMENDED IN SENATE JUNE 29, 1995

AMENDED IN SENATE JUNE 20, 1995

AMENDED IN ASSEMBLY APRIL 24, 1995

AMENDED IN ASSEMBLY APRIL 6, 1995

AMENDED IN ASSEMBLY MARCH 23, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 170

**Introduced by Assembly Members Alpert, Burton, and
Conroy**

January 23, 1995

An act to add Section 60200.4 to the Education Code, relating to instructional materials, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 170, as amended, Alpert. Instructional materials.

(1) Existing law requires the State Board of Education to adopt curriculum frameworks, as specified, and to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, for specified categories of subjects, including, among others, language arts, mathematics, and reading.

This bill would require the State Board of Education to ensure that the basic instructional materials for mathematics and reading in grades 1 to 8, inclusive, are based on the fundamental skills required by these subjects, including, but not limited to, *systematic, explicit* phonics, spelling, and basic computational skills and would state the intent of the Legislature that the fundamental skills of all subject areas, including *systematic, explicit* phonics, spelling, and basic computational skills, be included, ~~as specified,~~ in the adopted curriculum frameworks and that these skills and related tasks increase in depth and complexity from year to year. *The bill would also state the intent of the Legislature that the instructional materials adopted by the State Board of Education meet these provisions.* To the extent that this requirement results in school districts being required to purchase instructional materials that otherwise would not be required to be purchased under existing law, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60200.4 is added to the
2 Education Code, to read:



1 60200.4. (a) The State Board of Education shall
2 ensure that the basic instructional materials that it adopts
3 for mathematics and reading in grades 1 to 8, inclusive,
4 are based on the fundamental skills required by these
5 subjects, including, but not limited to, *systematic, explicit*
6 phonics, spelling, and basic computational skills.

7 (b) It is the intent of the Legislature that the
8 fundamental skills of all subject areas, including
9 *systematic, explicit* phonics, spelling, and basic
10 computational skills, be included in the adopted
11 curriculum frameworks and that these skills and related
12 tasks increase in depth and complexity from year to year.
13 It is the intent of the Legislature that the ~~inclusion of the~~
14 ~~fundamental skills in the adopted curriculum frameworks~~
15 ~~occur when the frameworks are revised in accordance~~
16 ~~with the State Board of Education's adopted schedule for~~
17 ~~curriculum framework development and adoption of~~
18 ~~instructional materials developed pursuant to Section~~
19 ~~60200. instructional materials adopted by the State Board~~
20 ~~of Education meet the provisions of this section.~~

21 SEC. 2. Notwithstanding Section 17610 of the
22 Government Code, if the Commission on State Mandates
23 determines that this act contains costs mandated by the
24 state, reimbursement to local agencies and school
25 districts for those costs shall be made pursuant to Part 7
26 (commencing with Section 17500) of Division 4 of Title
27 2 of the Government Code. If the statewide cost of the
28 claim for reimbursement does not exceed one million
29 dollars (\$1,000,000), reimbursement shall be made from
30 the State Mandates Claims Fund.

31 Notwithstanding Section 17580 of the Government
32 Code, unless otherwise specified, the provisions of this act
33 shall become operative on the same date that the act
34 takes effect pursuant to the California Constitution.

35 SEC. 3. This act is an urgency statute necessary for the
36 immediate preservation of the public peace, health, or
37 safety within the meaning of Article IV of the
38 Constitution and shall go into immediate effect. The facts
39 constituting the necessity are:



1 The poor performance of pupils who took the
2 California Learning Assessment System (CLAS) and the
3 National Assessment of Education Progress tests indicates
4 that it is imperative that steps be taken immediately to
5 ensure that all pupils in grades 1 to 8, inclusive, are
6 learning to read, write, and compute. To ensure that
7 these steps are taken at the earliest possible time, it is
8 necessary that this act take effect immediately.

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